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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL DANIELI, on behalf of himself
and those similarly situated,

Plaintiff,

v.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant.

Case No. 08 CV 3688

Honorable Robert W. Sweet

CLASS ACTION

**NOTICE OF FILING OF CONSENT
TO SUE FORM**

_____ /

The following individual respectfully submits a written Notice of Consent to Sue under
Federal Fair Labor Standards Act. The Consent to Sue is executed by Anthony Holman and it is
attached hereto as Exhibit A.

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1 DATED: July 23, 2008

RUDY, EXELROD & ZIEFF, LLP

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3 By: /s/ Patrice L. Goldman
PATRICE L. GOLDMAN

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and Class Members

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CERTIFICATE OF SERVICE

I hereby certify that on July 23, 2008, I electronically filed the following **NOTICE OF FILING OF CONSENT TO SUE FORM** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following e-mailing addresses:

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DATED: July 23, 2008

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EXHIBIT A

CONSENT TO SUE FORM

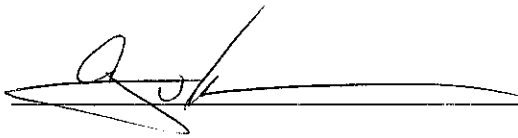
Consent to sue under the Fair Labor Standards Act (FLSA)

I work or worked for International Business Machines Corporation (IBM) at some point between July 12, 2007 and February 16, 2008 as a technical support worker with the primary duty of installing and/or maintaining computer software and hardware.

I choose to participate in the FLSA collective action titled *Danieli v. IBM Corp.*, Case No. 08-3688 (S.D.N.Y.).

I choose to be represented in this matter by the named plaintiff(s) in this action and by the attorneys who already represent plaintiffs in this action, Lieff, Cabraser, Heimann & Bernstein, LLP; Rudy, Exelrod & Zieff, LLP; Lewis, Feinberg, Renaker & Jackson, P.C.; Outten & Golden LLP; Spiro Moss Barnes Harrison & Barge LLP; Lee & Brazier, LLP; Bruckner Burch, PLLC; Goldstein, Demchak, Baller, Borgen & Dardarian; and other attorneys with whom they may associate.

Print Name: Anthony Holman

Sign Name: 

Date Signed: 06/10/2008